

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

RICHARD E. O'DONNELL, )  
                            )  
Plaintiff,               )  
                            )  
vs.                       )                          Case No. 4:08CV363 TCM  
                            )  
ST. LOUIS COUNTY DEPARTMENT OF )  
JUSTICE SERVICES, et al.,     )  
                            )  
Defendants.               )

**ORDER**

This matter is before the Court on plaintiff's motion for leave to proceed in forma pauperis on appeal [Doc. #10].

On April 14, 2008, this Court granted plaintiff leave to proceed in forma pauperis and dismissed the instant action pursuant to 28 U.S.C. § 1915 (e)(2)(B). In addition, the Court certified that an appeal from this dismissal would not be taken in good faith pursuant to 28 U.S.C. § 1915 (a)(3). Because this Court has certified that an appeal from this dismissal would not be taken in good faith, plaintiff may not proceed in forma pauperis on appeal. *Id.*

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for leave to proceed in forma pauperis on appeal [Doc. #10] is **DENIED**.

**IT IS FURTHER ORDERED** that within thirty (30) days from the date of this order, plaintiff shall either pay to this Court the full \$455 filing and docketing fees for filing an appeal or file

with the United States Court of Appeals for the Eighth Circuit an application to proceed in forma pauperis on appeal.<sup>1</sup>

**IT IS FURTHER ORDERED** that plaintiff shall file any future documents or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 12th day of May, 2008.



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UNITED STATES DISTRICT JUDGE

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<sup>1</sup>If plaintiff chooses to pay the filing fee, he is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name; (2) his prison identification number; (3) the case number; and (4) that the remittance is for the appeal of the instant action.